

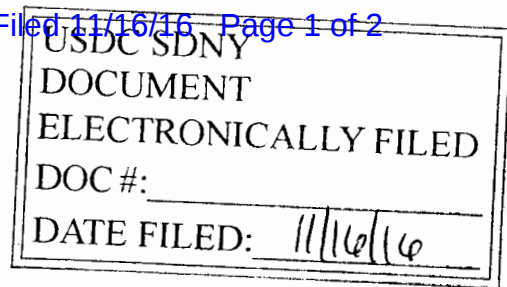
**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
DERICK LOUIS WILLIAMS,

Plaintiff,

-against-

METRO NORTH RAILROAD, et al.,
Defendants.
-----X



16 CIVIL 1141 (LAK)

JUDGMENT

Whereas by Order dated September 26, 2016, the Court granted the motion of Defendant Metro North Railroad to dismiss the complaint for failure to state a claim upon which relief may be granted [DI 17] is granted but granted leave to file an amended complaint on or before October 12, 2016 in an effort to state a legally sufficient claim for relief. In addition, the Court noted that the docket disclosed no proof of service on any of the individual Defendants despite the fact that well over 90 days had elapsed since the commencement of the action. October 12, 2016, came and went over a month ago, and no amended complaint, no proof of service on the individual Defendants, and no papers seeking an extension of time within which to make service have been filed, and the matter having come before the Honorable Lewis A. Kaplan, United States District Judge, and the Court, on November 14, 2016, having rendered its Order dismissing this action as to Defendant Metro North Railroad with prejudice; and dismissing it as to the individual Defendants without prejudice for failure to serve them; and directing the Clerk to enter judgment accordingly and close the case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated November 14, 2016, this action is dismissed as to Defendant Metro North Railroad with prejudice. It is dismissed as to the individual Defendants without prejudice for failure to serve them; accordingly, the case is closed.

Dated: New York, New York
November 16, 2016

RUBY J. KRAJICK

Clerk of Court

BY:

K. M. Angelo

Deputy Clerk